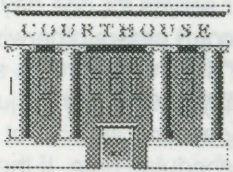
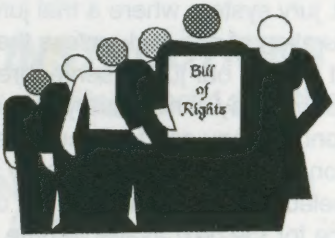
The Commonwealth of Massachusetts

THE OFFICE OF JURY COMMISSIONER

JUROR INSTRUCTIONS AND INFORMATION





Answers Inside to Many Common Questions

OPEN for Information About:

- Disqualification Reasons
- Hardship Court Transfers
- Hearing Disability
- Compensation
- Night Shift Workers
- The One Day/One Trial System
- Age
- Prior Service
- Postponements
- Students
- Parents
- Self-Employment

PLEASE READ BEFORE CALLING

Dear Prospective Trial Juror:

You have been randomly selected by computer to serve as a trial juror at the courthouse named on your summons.

Jury duty is a responsibility that all qualified citizens must share. *There are no exemptions from jury duty.* Doctors, lawyers, police officers (and their relatives), the clergy, parents, students, the self-employed, public officials (elected and appointed), and even judges are eligible to serve as jurors.

Massachusetts has adopted the **ONE DAY/ONE TRIAL** jury system where a trial juror serves for one day or for the duration of one trial, unless the court orders otherwise. About 95% of our jurors serve three days or less; 80% serve for just one day. If necessary, you may postpone your jury duty once to any court business day as long as it is not more than one year from your originally scheduled date. If the date you selected is not available, the computer will schedule your service for the next available date. You do not have to provide a reason to postpone your jury duty.

The law requires a fair cross-section of each county's qualified residents to be available each day for jury duty. Thus, some jurors will not necessarily serve at courts nearest their homes. This random summonsing enhances juror impartiality and diversity. There is no attempt to deliberately inconvenience anyone.

Respectfully,

Jury Commissioner
for the Commonwealth

A Few Things To Kno

• RESIDENTS / INHABITANTS •

A resident of a county, **OR** an inhabitant of a county for more than 50% of the time, whether or not a registered voter, shall be qualified to serve as a trial juror in that county unless one of the reasons for disqualification found on page 5 applies. For example: 1) **Students** who live out of state and study here (inhabitants) must serve; 2) **Students** who live in one Massachusetts county (residents), but study in a different Massachusetts county (inhabitants) must serve in the county in which they are summonsed; 3) Massachusetts residents who study out of state must serve in their home county when summonsed at their Massachusetts residence.

• HARDSHIP TRANSFER •

To change your court location within the county, you must provide specific evidence of hardship that prevents you from appearing at the courthouse to which you have been randomly summonsed by computer. Please explain your hardship in brief detail on the Juror Confirmation Form (see Section D page 3). Only a hardship is grounds for a transfer; inconvenience is not. (Out-of-county transfers are prohibited by law.)

• POSTPONE •

You may postpone your date of service to any available business day within twelve months of your originally scheduled date by completing Section E of the Juror Confirmation Form (page 3 of this summons package). You need not give a reason for postponing. Please be advised that the date you select may not be available. In that case the computer will schedule you for the next available court date.

w About Jury Duty

• HEALTH •

If you are ill or disabled, you may: postpone your date of service (see "Postpone" above); transfer your service to a court location closer to you (see "Hardship Transfer" above); or request to be disqualified from service. If you seek disqualification, a doctor's note is required. The physician must describe your illness or disability and state why you will be unable to serve as a juror. If yours is a permanent disability, a physician's letter must so state, identify and describe your disability, and further state that you will never be able to perform juror service.

• PRIMARY LANGUAGE/HEARING IMPAIRED •

To serve as a juror, you must be able to speak and understand the English language (see Reason 4 on page 5). A person called for jury duty who is hearing impaired may appear with a translator of his or her own. The court has the discretion to permit a translator to assist a hearing impaired juror during a trial and jury deliberations if the translator has been determined competent by the court. Also, the court can and will arrange to provide FM assistive listening devices to those jurors who know they will benefit from them. It is only these jurors that should complete Section F of the Juror Confirmation Form (page 3). Additional information for the hearing impaired may be obtained by contacting our TTY line:
1-800-328-3202.

• PRIOR JUROR SERVICE •

If you have appeared at any state or federal court for jury service within the prior 3 years and are summonsed again by this Office, you are disqualified from serving. You must provide the date(s) &

place(s) of prior service. Having been canceled by mail or by phone message is not considered prior service. The burden of providing proof of prior or pending juror service is on you. Exact details must be furnished.

• COMPENSATION •

Unless relieved of this obligation by the court, your employer must pay you your regular wages for the first 3 days or part thereof of jury service, if you miss work because of your service. All employees – be they full-time, part-time, temporary, or casual employees – must be compensated by their employers for work hours missed. Failure of those employers to comply is a criminal offense. Upon the 4th day and every day thereafter, the Commonwealth compensates jurors at a rate of $50 per day. Once released from your juror service, especially if early in the day, you are strongly advised to return to your normal daily routine.

• AGE •

If you are age 70 or older, you may serve or choose not to serve as a juror. If you choose not to serve, please complete the Juror Confirmation Form (page 3 of this summons package) by: "**X**"ing the #2 box in Section B; providing your date of birth on the lines in Section C; signing your name in Section H; and mailing the pre-paid postcard back to us. If you are under age 18 & have been summonsed, follow the same procedure but "**X**" the #3 box instead.

• STUDENTS AND PARENTS •

Only a judge may excuse you from service for hardship. You **must report** to the courthouse on the scheduled date of your service if you seek to be excused for hardship. The law allows no exemptions from jury duty. Everyone is eligible. Remember: you have the option to postpone, or you may transfer your court location within your county if your circumstances constitute a hardship.

• SELF-EMPLOYED •

Only a judge may excuse you for hardship for this reason. You **must report** to the courthouse on your scheduled date if you seek to be excused. There are **no exemptions** from jury service. Everyone is eligible. You have the option to postpone, but being self-employed is not a sufficient hardship on which to base a request for courthouse transfer.

• FELONY CONVICTION •

If you have been convicted of a felony within the last 7 years, or are currently charged with a felony, or are presently in the custody of a correctional institution, you are disqualified from jury service. See Reason 7 on page 5.

• STANDBY NOTICE •

(A notice instructing you to call the courthouse, and not the Office of Jury Commissioner, on the day before your reporting date to learn if your attendance is required). Not all courts use this system. You may not receive a standby notice. If you do not, report as scheduled. If your reminder notice does not place you on "Standby Status", report as scheduled.

• NIGHT SHIFT WORKERS •

You are not required to work beyond midnight of the night before your first day of juror service. You may not work while you are impanelled on a trial unless authorized by the trial judge. You may not be required to work on your last day of service **if you are released by the court after 4:00 P.M.**

A map and directions to the courthouse at which you will serve will be mailed to you approximately ten days before you are scheduled to appear to serve.

REASONS FOR DISQUALIFICATION APPEAR ON OTHER SIDE ☛

REASONS FOR

RE: The JUROR CONFIRMATION FORM

(page 3 of this summons package):

It is important and necessary for you to read the following before completing and mailing the Juror Confirmation Card.
If you claim a disqualification, you must provide details in Sections B & C on the Juror Confirmation Card. The following is a numbered list of disqualifications allowed by law. If one applies to you, "X" the appropriate numbered box in Section B on page 3 and provide the required details in Section C.

(1) Not a U.S. Citizen (Write alien card identification number, visa status, or any other pertinent information.)

(2) Age 70 or older & choose not to serve. (Write date of birth.)

(3) Under age 18. (Write date of birth.)

(4) Cannot speak and understand English. (Write primary language.)

(5) Moved permanently outside the county. (Write new address.)

(6) Living full-time outside of the county without returning at anytime for more than 1 year. (Write a brief

DISQUALIFICATION

explanation: i.e. active military service; medical internship. Include your out of state address. Usually does not apply to students.)

(7) Convicted of a felony within the past 7 years, or currently charged with a felony, or currently in custody. (Write the specific charge & date of conviction. If in doubt, check with the court to see if yours was a felony and not a misdemeanor conviction.)

(8) Previous juror service within the past 3 years, or currently scheduled for juror service. (Write date(s) and place of prior or currently scheduled jury service.) Note: This does not include jurors who were previously summonsed but canceled by mail or phone and not required to appear in court.

(9) Physically or mentally incapable of performing jury duty. A note from a doctor or Christian Science Practitioner describing the illness or disability is required. Physician guideline: A person shall be capable of performing jury duty if he or she can perform a sedentary job requiring close attention for 6 hours a day, with breaks in the morning and afternoon, for 3 consecutive days. If a permanent disability, the physician must identify and describe the disability, explain how your disability prevents you from serving, and further state that you will never be able to serve.

(10) Primary care-giver for a permanently disabled person who is a member of the same household. A doctor's note is required describing the kind of care you provide and the doctor's opinion on the risk to the health of the disabled person if you are absent.

• *SPECIAL INSTRUCTIONS* •

Enclosed is a form requiring special attention...

JUROR CONFIRMATION FORM (Page 3):

You must **complete and mail** the self-addressed, postage pre-paid postcard to the Office of Jury Commissioner **within 10 business days**.

Everyone summonsed must return this card whether qualified or not, or seeking changes in scheduled date or court location.

If you have read *all* of the information contained in this entire summons package and you still have questions, you may call the Office of Jury Commissioner, toll-free, at 1-800-THE-JURY.

This line is available 24 hours a day, 7 days a week offering personal assistance on weekdays during business hours (Monday through Friday, 9 AM to 4:30 PM) and recorded messages to answer most common questions at all times.

When you call during business hours, please be patient. We receive a high volume of telephone calls per day. Our toll-free number is reachable only when you are calling from within Massachusetts.
If out of state, please write to us at:

OFFICE OF JURY COMMISSIONER
560 Harrison Avenue, Suite 600
Boston, Mass. 02118-2447

FOR MORE INFORMATION, PLEASE READ THE ENCLOSED TRIAL JUROR'S HANDBOOK.